

STAT

Approved For Release 2004/05/05 : CIA-RDP84B00890R000300030040-0

Approved For Release 2004/05/05 : CIA-RDP84B00890R000300030040-0

17 FEB 1981

DD/A REGISTRY

FILE: Legal

STAT MEMORANDUM FOR: Assistant Legislative Counsel

FROM: James H. McDonald
Director of Logistics

SUBJECT: Federal Reports Authorship Disclosure
Act of 1981

REFERENCE: Multiple Addressee Memo from C/LD/OLC,
dtd 2 Feb 81, subject: S. 106: A Bill
to Require the Disclosure of Information
Relating to Reports Prepared for Executive
Agencies by Experts or Consultants
(OLC 81-0256, DDA 81-0228)

1. We have reviewed subject bill as requested in referent. C/LD/OLC mentioned that the bill does not purport to override provisions of law relating to the protection of intelligence sources and methods, and indicated that OLC believes existing authorities would be sufficient to protect classified or otherwise sensitive information.

2. We could have concurred in this position prior to a recent court decision. The opinion of the U.S. Court of Appeals in the case of John Cary Sims v. Central Intelligence Agency so narrowly defines the term "intelligence source" that, unless the relationship between the CIA and the expert or consultant is classified, or unless the expert or consultant specifically requests that his relationship with the CIA be held in confidence, there is a strong possibility that we would be required to comply with the bill should it become law.

3. We recommend that an attempt be made to completely exempt the Agency from the requirements of the bill.

/s/ James H. McDonald

James H. McDonald

cc: OLC Registry
DDA Registry

OL 1 0458(a)